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RA/DRA _____
Action <u>H-6</u>
CC: _____
File: _____

CALIFORNIA ENDURO RIDERS ASSOCIATION • P.O. BOX 4461, SANTA CLARA, CALIFORNIA 95054

US Environmental Protection Agency

c/o Dan I

1235 Mission

San Francisco

William Reilly,

5/21

Dear Mr.

The following

Association

asbestos

part of the

As regulated

environment

the CERCLA

directed by

FYI. We want to work with

Region 9 to solve a complex issue,

but you need to let your people

know that "trivial" solutions only

generate expensive lawsuits.

Tony Pavone
CERA

California Enduro Riders
posed plan to address
gement Area, which is
und Site.

reek Recreation Area for
ehicles (OHV) recreation,
endorse any program
ncerned parties, to

substantially reduce the health hazards of airborne asbestos, while maintaining the off-highway vehicle recreation opportunities afforded by the Clear Creek Recreation Area. As recreation users, the CERA is also willing to take a meaningful role in helping to remediate the areas of contamination. We support a program to remediate the site, while reconfiguring the OHV trail system around rather than over those enormous mounds of asbestos waste.

However, we oppose the suggested program of simply closing the area to OHV use. That approach does not address the mitigating recreation issues associated with the site. The suggested approach of wholesale closure is the superficial "easy" solution, rather than the right solution.

We are troubled by our perception that EPA has simply not learned any of the lessons from its similar errors of judgement at other hazardous waste sites. EPA's initial approach to the contamination problems at both the Love Canal in New York and Times Beach in Missouri was to simply throw the people off the land, and walk away from the problem. That approach has not worked elsewhere, and it is not going to work in California.



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CALIFORNIA ENDURO RIDERS ASSOCIATION • P.O. BOX 4461, SANTA CLARA, CALIFORNIA 95054

US Environmental Protection Agency
c/o Dan Meer (H-6-2)
1235 Mission Street
San Francisco, CA 94103

Dear Mr. Meer:

The following represents comments by the California Enduro Riders Association (CERA) concerning the EPA's proposed plan to address asbestos concerns at the Clear Creek Management Area, which is part of the Atlas Asbestos Company Superfund Site.

As regular recreation users of the Clear Creek Recreation Area for environmentally responsible off highway vehicles (OHV) recreation, the CERA members would enthusiastically endorse any program directed by the EPA, the BLM and other concerned parties, to substantially reduce the health hazards of airborne asbestos, while maintaining the off-highway vehicle recreation opportunities afforded by the Clear Creek Recreation Area. As recreation users, the CERA is also willing to take a meaningful role in helping to remediate the areas of contamination. We support a program to remediate the site, while reconfiguring the OHV trail system around rather than over those enormous mounds of asbestos waste.

However, we oppose the suggested program of simply closing the area to OHV use. That approach does not address the mitigating recreation issues associated with the site. The suggested approach of wholesale closure is the superficial "easy" solution, rather than the right solution.

We are troubled by our perception that EPA has simply not learned any of the lessons from its similar errors of judgement at other hazardous waste sites. EPA's initial approach to the contamination problems at both the Love Canal in New York and Times Beach in Missouri was to simply throw the people off the land, and walk away from the problem. That approach has not worked elsewhere, and it is not going to work in California.

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The CERA also wishes to assure the EPA and BLM that a wholesale closure at Clear Creek, without regard to mitigating the lost OHV recreation opportunities, is emphatically not going to be the path of least resistance. We believe there are win-win solutions to the asbestos issues at Clear Creek, and we are enthusiastic about assuming our responsibility as part of the solution rather than part of the problem, but a wholesale closure as indicated above is not acceptable, and will produce more litigation entropy than results.

Throwing the people off the land at Clear Creek is a cause without a constituency. It has not worked elsewhere, and it will not work here. The CERA wishes to work diligently with the EPA and BLM to arrive at the "best" solution, which is rarely the "easy" solution.

Very truly yours,

A handwritten signature in cursive script that reads "Anthony Pavone". The signature is written in dark ink and is positioned above the printed name.

Anthony Pavone
for the Board of Directors

ROUTING AND TRANSMITTAL SLIP		ACTION <input checked="" type="checkbox"/>	
1 TO (Name, office symbol or location) <i>Region 9</i>		INITIALS	CIRCULATE
		DATE	COORDINATION
2		INITIALS	FILE
		DATE	INFORMATION
3		INITIALS	NOTE AND RETURN
		DATE	PER CON-VERSATION
4		INITIALS	SEE ME
		DATE	SIGNATURE
REMARKS			
<p>NECESSARY ACTION. IF REPLY IS PREPARED SEND COPY OF REPLY TO AX.</p>			
<p>Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions.</p>			
From (Name, office symbol or location) STACEY R. GRIGSBY (ROOM 227B) Executive Communications (AX)		DATE <i>6/5/90</i>	PHONE 382-4060

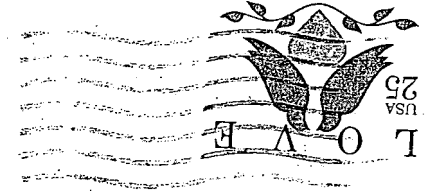
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AUGUST 1967
GSA FPMR (41CFR) 101-11.206

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P. O. BOX 4461, SANTA CLARA, CA 95054



William Reilly
Administrator
US EPA
Washington DC

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